

February 13, 2025

**BY ECF**

Hon. LaShann DeArcy Hall  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re:   *Trooper 1 v. NYSP et al.*, 22-cv-893 (LDH) (TAM);  
      *Cuomo v. Boylan*, 23-mc-1587 (LDH) (TAM)**

Dear Judge DeArcy Hall:

We represent former Governor Andrew Cuomo and write to follow up on our FRCP 72(a) appeal of Magistrate Judge Merkl’s January 16, 2024 order concerning a discovery dispute with respect to subpoenas for information concerning nonparty witness Lindsey Boylan (the “Boylan Order”). Because we anticipate taking Ms. Boylan’s deposition before the close of discovery on May 16, 2025, timely resolving the discovery issues raised in our appeal is important.

Specifically, the Boylan Order quashed Governor Cuomo’s subpoenas to the extent they sought certain information about Ms. Boylan’s credibility and her allegations against Governor Cuomo. The appeal on the Boylan Order was filed over a year ago, on January 30, 2024. *See* T1 ECF No. 232 and Boylan ECF No. 47. As explained in our appeal, the information Governor Cuomo sought is properly discoverable given the relevance of Ms. Boylan to Trooper 1’s allegations. *Id.* at 3-5.

Pursuant to a December 11, 2024 order issued by Magistrate Judge Merkl, we recently served a subpoena for Ms. Boylan’s deposition, which we expect to take before May 16, 2025 close of discovery. To the extent this Court authorizes further document discovery based on our January 30, 2024 appeal, we want to be able to use that discovery in connection with Ms. Boylan’s deposition.

We therefore respectfully request that the Court decide the appeal of the Boylan Order as soon as is practicable.

Respectfully submitted,

/s/ *Theresa Trzaskoma*

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